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January 23, 2024

VIA ECF

Hon. Sidney H. Stein
Daniel Patrick Moynihan
United States Courthouse
500 Pearl Street
New York, New York 10007

Re: *Authors Guild et al. v. OpenAI Inc. et al.*, No. 1:23-cv-08292-SHS
Sancton v. OpenAI Inc., et al., 1:23-cv-10211-SHS
Basbanes et al. v. Microsoft Corporation et al., 1:24-cv-84-SHS

Dear Judge Stein:

My firm represents plaintiffs Nicholas Basbanes and Nicholas Gage in the related matter *Basbanes et al. v. Microsoft Corporation, et al.*, 1:24-cv-84-SHS (the “Basbanes-Gage Action”). Yesterday, we filed a motion requesting that the Court (i) consolidate the Basbanes-Gage Action with the Authors Guild and Sancton matters referred to above, (ii) create a steering committee that includes Plaintiffs’ counsel and (iii) appoint plaintiffs’ counsel in the Authors Guild and Sancton matters as interim co-lead counsel. (See Basbanes-Gage Action ECF Nos. 21 and 22.) We had hoped to have this on file before Your Honor So Ordered the parties Joint Stipulation in the Authors Guild and Sancton matters given the impact our motion may have on the provisions set forth in that Joint Stipulation. Unfortunately, we were unable to do so given that the Joint Stipulation was filed on Friday, January 19, 2024, and we only became aware of it on Monday, January 22, 2024. (See Authors Guild Action ECF No. 56 and Sancton Action ECF No. 31, the “So Ordered Joint Stipulation”.) We respectfully request that Your Honor hold the So Ordered Joint Stipulation in abeyance pending resolution of our motion.

Respectfully submitted,

/s/ Michael P. Richter

Michael P. Richter

cc: Counsel of record in the *Authors Guild* Action and *Sancton* Action (via ECF)